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**Sent:** Wednesday, February 23, 2005 2:38 PM

**To:** mlpacomments@resources.ca.gov

**Cc:** Melissa Miller-Henson

**Subject:** MLPAComments: Term "Scientific Purposes" needs to be defined in DFG Code Definition Section

Melissa

Since the MLPA Chairman shortened the 2/23 meeting to 12:00 and the public comment to 2 minutes, I was unable to complete the below address. Please pass on to the panelists, the scientific panel and stakeholder's panel as it is timely information for all MLPA participants. Thank You.

Lee Willoughby  
Tidepool Coalition

Tidepool Coalition  
COALITION TO PRESERVE and RESTORE PT. PINOS TIDEPOOLS  
P.O. Box 433, Pacific Grove, California 93950  
Within these areas, no risk of change is considered acceptable unless it is part of a natural process\*

February 23, 2005

To: MLPA Blue Ribbon Task Force

From: Lee Willoughby, Tidepool Coalition

It was a privilege to hear Dr. Tundi Agardy address the panel yesterday. Her writings have been an inspiration to the Tidepool Coalition since our founding. We are a grassroots ad hoc shoe string citizens organization based in Pacific Grove and founded back in 1997. The people of Pacific Grove and the Coalition treasure our marine Resources, our tide pools which Jean Michael Cousteau describes as the magical world between land and sea. They belong to the public and our goal is to protect, preserve and restore the Pt. Pinos Tidepools within the Pacific Grove Marine Gardens Fish Refuge for the benefit and enjoyment of future generations. By the way, it is the only fish garden refuge in the State of California and is preeminent because of the flora and fauna. Some of you may have seen the May/June 2004 Sierra national Magazine with the cover and article featuring tide pools of California and the work of the Tidepool Coalition in Pacific Grove.

Back in 1999 we were given a copy of Dr. Agardy's article from "Issues in Science and Technology" published in that same year. What she wrote then is as true to day as six years ago and it behooves us all to heed her words about Creating Havens for Marine Life.

Dr. Steven Palumbi, who is also on the Science Panel is now at Hopkins Marine Station in Pacific Grove. Back in 2001 when he was still at Harvard, he wrote in the Washington based MPA monthly that "The Seas are increasingly in serious trouble. Fully protected marine reserves are a powerful tool for marine conservation and management. "Defined as areas in which no extractive

activities are allowed, “fully protected marine reserves’ are a special category of “marine protected Areas’ (MPA’s) which are sites in which some activities are constrained.”

Because the Pacific Grove Marine Gardens Fish Refuge is so special (historically, archeologically and Biologically, the people of Pacific Grove strengthened local law by our initiative in 2000 allowing only Minimal scientific take to determine the health of the resource. This curtailed the activities of a number of scientists and educators who had been collecting for years in our refuge with little monitoring. It was convenient, easily accessible, with an abundance and diversity of invertebrates. Unfortunately, there was negligible DFG management and little enforcement. It was essential a free for all, take what you want and as much as you want and as often as you want.

**What we are asking the Fish and Game Commission, our legislators, the scientific panel and/or this Blue Ribbon Task Force to recommend that a definition of “scientific purposes” be added to the DFG code section. Under the DFG 10660 which legislatively established our Refuge back in 1963 It reads that marine life may be taken in this refuge for “scientific purposes,” but in fact, marine life was being taken for God only knows what. Only the peoples’ constitutional initiative put a halt to this practice. “Scientific Purposes” needs to be clearly defined in the DFG code**

In another article, Dr. Agardy referenced of the ‘bottom up phenomenon’ That when the people (the public) have the will to stay the course in preserving their marine resources, the leaders, politicians and bureaucrats will follow. The people of Pacific Grove have shown that commitment. In our local Coastal Parks Plan adopted by our City Council in 1998 mandated by the Coastal Commission where marine resources are referenced in Chapter 6, it reads “within these areas no risk of change to the environment is acceptable unless it is part of the natural process.” Years of extractive collecting under the banner of “science purposes” could hardly be deemed part of the natural process.

We appreciate visionary scientists like Dr. Agardy who wrote in the MPA monthly “we must recognize the limits of science and we must always be honest with ourselves and with the public about the existence of those limits. Anything less than honesty threatens the integrity of all of us working in marine conservation, defeating us, coastal peoples and the oceans themselves.

In closing, Leon Panetta wrote when the Pew Foundation issued its report back in 2003, “the Status quo of collapsing fisheries, polluted estuaries, vanishing ocean and coastal habitats and the disruption it brings to coastal communities and economics is unacceptable. Future generations will judge us on whether we shoulder our responsibility toward our ocean trust. You have a formidable task and we commend your efforts.

The largest stakeholders now and in the future are the public, people of California and the visitors to our coastal areas. We, the public, stand with you in this awesome endeavor which will set the course for ocean restoration in this new millennium.

Thank you.